

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TOURNESOL DES CHAMPS, LLC & ERIC  
H. HEDICK,

Plaintiffs,

-against-

THERESEA SPRADLING, et al.,

Defendants.

21-CV-5459 (CS)

ORDER

CATHY SEIBEL, United States District Judge:

By Order dated June 30, 2021, I dismissed Plaintiff Tournesol Des Champs, LLC's claims without prejudice to that entity retaining counsel within 30 days. (Doc. 4.) It has not done so, and thus the only remaining Plaintiff is Erik H. Hedick, who may proceed without counsel. Many, if not all, of the claims appear to belong to Tournesol Des Champs, LLC, rather than to Hedick personally. Accordingly, Hedick shall file an Amended Complaint no later than September 8, 2021, setting forth any claims he believes he can bring on his individual behalf, and the factual bases for them.<sup>1</sup> Failure to do so may result in dismissal without prejudice for failure to prosecute.

Summonses will not issue at this time. If necessary, the Court will direct the Clerk of Court to issue summonses in a separate order.

The Clerk of Court is directed to mail a copy of this order to Plaintiffs and note service on the docket.

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<sup>1</sup> Plaintiff is advised the 18 U.S.C. § 241 is a criminal statute that may be enforced only by the federal government. *See, e.g., Burke v. APT Found.*, 509 F. Supp. 2d 169, 173 (D. Conn. 2007).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: August 9, 2021  
White Plains, New York

A handwritten signature in black ink that reads "Cathy Seibel". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

CATHY SEIBEL  
United States District Judge